

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>AXIS CONSTRUCTION CORP.,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>LANDMARK BUILDING</b>	:	
<b>SYSTEMS, INC., et al.,</b>	:	<b>No. 02-3017</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this       day of **October, 2002**, it is hereby **ORDERED** that:

Third-Party Defendant Hummer Equipment Company, Incorporated's Motion to Dismiss  
(Document No. 15) is **DENIED** as moot.

**BY THE COURT:**

\_\_\_\_\_  
**Berle M. Schiller, J.**